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January 8, 2008

ANDREW M. CUOMO
Attorney General

Hon. William H. Pauley, III
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

Re: Hill v Ercole
07CV7704 (WHP)
Pro Se

Dear Judge Pauley:

This letter is written respectfully to advise the Court that defendant, Robert Ercole, Superintendent of Green Haven Correctional Facility was served with the complaint on December 18, 2007 and is now represented by our office. Because additional time is needed to confer with Superintendent Ercole and conduct an initial investigation or the claim, defendant requests an extension of time until February 8, 2008 to respond to the complaint by answer or motion to dismiss to dismiss. Defendant also requests the Court to issue a scheduling order, if appropriate at this juncture.

I did not obtain plaintiff's consent prior to making an application for an extension of time because he is incarcerated.

Respectfully submitted,

Donald Nowve
Assistant Attorney General
(212) 416-8227

c: Millard Hill
Plaintiff pro se
97A5108
Green Haven Correctional Facility
P.O. Box 4000
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application granted. This Court will hold an initial pre-trial conference on January 25, 2008 at 10:15 a.m. Counsel for defendant is directed to arrange for Plaintiff pro se to participate by telephone.
SO ORDERED:

WILLIAM H. PAULEY III U.S.D.J.

1/16/2008